S.B.CIVIL WRIT PETITION NO.5556/2004

Anuradha Majumdar
v.
Union of India & Ors.

DATE OF ORDER :: 9th May, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. Kamal Dave, for the petitioner.
Mr. V.K.Mathur, for the respondents.

....

By this petition for writ a challenge is given by the petitioner to appointment of the respondent No.5 as Medical Officer on the count that he was erroneously treated as Ex. Serviceman by the respondents No.2 to 4. The appointment of the respondent No.5 under the order dated 21.9.2004 was made for a period of one year and that term has already been expired. It is also stated by counsel for the petitioner at Bar that the respondent No.5 after completion of the term of appointment left the service and is not working with the respondents. In view of it, no cause now survives to be adjudicated. However, counsel for the petitioner states that the question as to whether the respondent No.5 at the time of consideration for appointment was Ex. Serviceman or not, is required to be decided so in future no person lacking eligibility be considered for appointment. I am of the view that the issue sought to be decided by the petitioner at this stage shall be academic only

and, therefore, that is not required to be dealt with in the instant mater.

The petition for writ, therefore, for the reasons mentioned above, is dismissed.

(GOVIND MATHUR),J.

Kkm/ps.